

Minutes

Santee City Council Community Development Commission Santee Public Financing Authority

**Council Chambers
10601 Magnolia Avenue
Santee, California**

November 16, 2005

This Regular Meeting of the Santee City Council, Community Development Commission and the Santee Public Financing Authority was called to order by Mayor/Chairperson/Chair Randy Voepel at 7:06 p.m.

Council Members present were: Mayor/Chairperson/Chair Randy Voepel, Vice Mayor/Vice Chairperson/Vice Chair John W. Minto and Council/Commission/Authority Members Jack E. Dale and Brian W. Jones. Council Member Hal Ryan entered the meeting at 7:53 p.m.

Staff present were: City Manager/Executive Director/Secretary Keith Till, Deputy City Manager/Director of Development Services Doug Williford, City/Commission/Authority Attorney Shawn Hagerty, Assistant to the City Manager Kathy Valverde, Finance Director/Treasurer Tim McDermott, Director of Community Services John Coates, Director of Fire and Life Safety Bob Pfohl, Assistant to the Executive Director Pamela White, Santee Sheriff's Lieutenant George Foote, City Engineer Cary Stewart, City Planner Melanie Kush, City Clerk/City Commission Secretary Linda Troyan and Deputy City Clerk/Deputy Commission Secretary Patsy.

(Note: Hereinafter the titles Mayor, Vice Mayor, Council Member, City Manager, City Attorney, City Clerk and Deputy City Clerk shall be used to indicate Mayor/Chairperson/Chair, Vice Mayor/Vice Chairperson/Vice Chair, Council/Commission/Authority Member, City Manager/Executive Director/Secretary, City/Commission/Authority Attorney, City Clerk/Commission Secretary, Deputy City Clerk/ Deputy Commission Secretary.)

The **INVOCATION** was given by Deacon David Wingo from Sonrise Community Church and the **PLEDGE OF ALLEGIANCE** was led by Gunnery Sergeant Jason Walker.

ADJOURNMENT IN MEMORY: FRANCES MARIE KELLY

Mayor Voepel presented the certificate and a dozen white roses to Shirley Wright, daughter of Frances Kelly.

**ADJOURNMENT IN MEMORY: 2nd BATTALION 1ST MARINE REGIMENT "2/1"
FALLEN HERO LANCE CORPORAL CHRISTOPHER
M. POSTON**

Mayor Voepel presented the certificate and a dozen white roses to Jason and Tracy Walker, parents of Christopher Poston. Sueann Oltman, wife of the 2/1's Commanding Officer Lieutenant Colonel Robert G. Oltman, was also in attendance and received a single white rose from Mayor Voepel. Mayor Voepel announced the City plans to create an oak grove with the name of each fallen soldier on a tree in memory of their service to our country.

**PRESENTATIONS: JACK E. DALE CUP: VARSITY FOOTBALL GAME BETWEEN
SANTANA AND WEST HILLS HIGH SCHOOLS**

Mayor Voepel and Council Member Dale presented the trophy to Principal Brian Wilbur and Vice Principal Larry Pear of West Hills High School.

**PRESENTATIONS: APPOINTMENTS TO BOARDS, COMMITTEES AND
COMMISSIONS VACANCIES AND OATH OF OFFICE**

With Council concurrence to Mayor Voepel's nominations, the following appointments were made:

Tawni Jochens, Member -- Human Relations Advisory Board
William Parsons, Alternate -- Human Relations Advisory Board
Shari Groce -- Community Oriented Policing Committee
Kim Whitacre -- Manufactured Home Fair Practices Commission

City Clerk Troyan administered the Oath of Allegiance.

ITEMS TO BE ADDED, DELETED OR RE-ORDERED ON AGENDA:

City Clerk Troyan noted Item 1H should be pulled as Speaker Slips were received. Mayor Voepel requested Item 9(A) be reordered to the Consent Calendar.

1. CONSENT CALENDAR:

- (A) Approval of Reading by Title Only and Waiver of Reading in Full of Ordinances on Agenda.**

- (B) **Approval of Meeting Minutes:**
Santee City Council 10-26-05 Regular Meeting
Community Development Commission 10-26-05 Regular Meeting
Santee Public Financing Authority 10-26-05 Regular Meeting
- (C) **Approval of Payment of Demands as Presented.**
- (D) **Approval of the Expenditure of \$70,805.99 to Pay for October 2005 Legal Services.**
- (E) **Fiscal Year 2005-06 Supplemental Law Enforcement Funds - Approval of the Use of State of California Citizens' Options for Public Safety (COPS) Funds for a Portion of the Cost of One Community Oriented Policing Deputy & Appropriation of Funds.**
- (F) **Adoption of a Resolution Amending Section 2 of Resolution No. 201-85 Pertaining to Time of Election of Vice Mayor. (Reso 70-2005)**
- (G) **Adoption of a Resolution Amending and Adopting Local Guidelines for Implementation of the California Environmental Quality Act (CEQA) 2005. (Relates to 9A) (Reso 71-2005)**
- (H) **Removed from Consent for discussion.**
- (I) **Rejection of Claim Filed Against the City by Yan Edward Burian.**

Reordered to Consent:

9. COMMUNITY DEVELOPMENT COMMISSION:

- (A) **Adoption of a Resolution Amending and Adopting Local Guidelines for Implementing the California Environmental Quality Act (CEQA). (Relates to 1G) (Reso CDC3-2005)**

ACTION: On motion of Council Member Jones, seconded by Vice Mayor Minto, the Agenda and Consent Calendar were approved as amended with all voting aye.

Removed from Consent:

- (H) **Adoption of a Resolution Approving the Final Map for Tentative Map 2003-06 (Rhone Estates Subdivision) at 9466 Slope St. (Reso 72-2005)**

PUBLIC SPEAKERS:

Opposed:

1. Peter Drinkwater, San Diego County Airport Director, expressed objections with additional homes being built in the airport arrival and departure areas as it will pose threats to safety and will create noise and other complaints to the airport.
2. Douglas Ferry discussed the noise that will affect the homes in this project and fears it will generate numerous complaints which could limit pilots' liberties in flying at Gillespie field.
3. Barry Bardack, Gillespie Pilots Association, informed Council that the California Airport Land Use Planning Handbook is currently being updated, which once adopted, may not support a project such as this one. He further discussed insurance matters and suggested the City obtain aviation easements.
4. Martin Lloyd, Chief Flying Instructor of Anglo American Aviation, Inc., voiced concerns about the project being built too close (within 4,000 feet) of what he teaches his students is the safety zone for putting down a plane with engine trouble during takeoff.
5. Cliff Leary, Gillespie Field Development Council, stated that the Airport Land Use Commission, which approved the City's project, is in its final stages of updating the Airport Land Use Compatibility Plan. He stated that the development project would be disapproved if the proposed updated version were already in place.
6. Eugene Charles, Vice President of Gillespie Pilots Association, expressed concern with the project, specifically related to noise and safety due to close proximity of the airport.

Council Member Dale requested clarification from Peter Drinkwater as to what agency/body he is representing and what agency/body has the authority to approve or disapprove the development. Mr. Drinkwater noted he is with San Diego County Airport Authority and the Airport Land Use Commission holds the authority to approve or disapprove the development. Mr. Drinkwater stated that he is in attendance to state for the record that from the airport's perspective it is not good policy to build homes in and around departure and arrival flight paths. He further stated that in the perfect world it would be best if that land was owned and controlled by the airport, but the approach now has to be to make the best of the current situation. What has been proposed by the FAA and the County as far as aviation easements and insulating the homes is about as good as it is going to get next to building a commercial development or something else in that area.

Director of Development Services Williford confirmed for Mayor Voepel that the Airport Land Use Commission found the project conditionally consistent (approved) with two conditions: interior noise protection (45 decibels) and aviation easements. He further confirmed that the aviation easements are approved and have been part of the project for one and one-half years, and that the project complies with the current Airport Land Use Compatibility Plan.

Mayor Voepel received verification from City Attorney Hagerty that there is no law, rule or regulation precluding the Council from approving the development, and from City Manager Till that no one from the County of San Diego, besides Mr. Peter Drinkwater, has contacted the City requesting the City not to proceed with this project.

ACTION: After further discussion, on motion of Council Member Dale, seconded by Mayor Voepel, the Resolution approving the Rhone Estates Subdivision Final Map for Tentative Map 2003-06 was adopted with all voting aye, except Council Member Ryan who abstained.

2. PUBLIC HEARINGS:

- (A) Public Hearing for a Tentative Map (TM 05-06), Development Review Permit (DR05-09), Conditional Use Permit (P05-04) for an 85 Unit Condominium Project on a 17.6 Acre Site and a General Plan Amendment (GPA05-02) & Zone Reclassification (R05-01) to Change from Office Professional/R14 to R14 and from Hillside Limited Residential to Park/Open Space at 10887 Woodside Avenue (Applicant: William Lyon Homes) (Resos: TM- 73-2005, DR 74-2005, CUP 75-2005, GPA- 76-2005)**

The Public Hearing was opened at 8:05 p.m. Director of Development Services Williford presented the staff report. He noted that even though the complex will be gated for vehicular traffic, a public sidewalk will extend through the middle of the property to allow children from nearby neighborhoods access for walking to Pepper Drive School. He also stated that the access onto and off of Woodside Avenue will be right turns only with the majority of the residents making use of the Graves Avenue entrance.

Mayor Voepel noted he lived in the general vicinity of the project and wanted to make sure he did not have a Conflict of Interest. City Attorney Hagerty confirmed that since the Mayor lives outside the 500 foot limit there is no Conflict of Interest.

Discussion took place concerning how additional traffic from the complex would affect the already busy section on Woodside Avenue near the State Route 67 on-ramp and the possibility of widening Woodside Avenue in that area. When asked, Director of

Development Services Williford noted the complex's access on Woodside Avenue could be removed, which would require all the residents to utilize the Graves Avenue entrance/exit. When asked, Fire Chief Pfohl noted the Woodside Avenue access would be very beneficial for the Fire Department's ability to respond. Council Member Ryan suggested the access on Woodside Avenue be designed for emergency vehicle access only.

Vice Mayor Minto requested the pass-through sidewalk have curves to discourage motorcycles from using it as a street. Council Member Jones commented that he thought a bike lane should be included on the street to keep bikes off the sidewalks.

PUBLIC SPEAKERS:

Speaking Neutrally was Robert Donahue, representing Riderwood Terrace Home Owners Association, expressed concerns with additional traffic being added to an already congested area on Woodside Avenue and thanked staff for their quick response to his request for a traffic study.

Speaking In Support was Erick Van Wechel, representing William Lyon Homes and Cindy Eldred, also with William Lyon Homes, who answered Council's questions.

Council Member Jones requested staff to conduct a traffic study on Woodside near the State Route 67 when they conduct the study on Woodside near Ryderwood Terrace.

Discussion took place regarding the ability to ask the applicant to widen Woodside Avenue if the Woodside public entrance was removed from the project. Council Members recessed at 9:03 p.m. for a short break and to allow counsel to confer with staff. Council reconvened in Open session with all Members present at 9:14 p.m.

After further discussion, Council Member Jones stated that even though he likes the project, he would prefer to continue the item to the next meeting in order to get more answers regarding the widening of Woodside Avenue and how to best make that happen. Council Member Dale suggested the widening of Woodside Avenue be accomplished through the City's Capital Improvement Project (CIP) program in the near future.

ACTION: On motion of Council Member Dale, seconded by Vice Mayor Minto, the Public Hearing was Closed at 9:28 p.m.; the Mitigated Negative Declaration approved as complete and in compliance with the provisions of CEQA; and the four Resolutions approving Tentative Map TM05-06, Development Review Permit DR05-06, Conditional User Permit P05-04 and General Plan Amendment GPA05-02 were approved with the amendment of making the Woodside Avenue entrance for use by emergency vehicles only, and the Ordinance was Introduced for First Reading with the Second Reading and adoption set for December 14, 2005 with all voting aye, except Council Member Jones who voted no.

3. ORDINANCES (First Reading): (Also see Item 2A)

(A) Introduction and First Reading of An Ordinance of the City Council Adding Santee Municipal Code Section 13.38 Requiring Recycling of Construction and Demolition Materials.

Director of Community Services Coates presented the staff report.

ACTION: On motion of Council Member Dale, seconded by Vice Mayor Minto, the Ordinance was Introduced for First Reading with the Second Reading and adoption set for December 14, 2005 with all voting aye.

4. CITY COUNCIL REPORTS:

(A) Resolution Supporting the United States Military's Opposition to Civilian Joint Use of Facilities (Mayor Voepel). (Reso 77-2005)

MOTION: After presenting the staff report, Mayor Voepel moved to adopt the Resolution and direct staff to send a letter to the San Diego County Regional Airport Authority. Vice Mayor Minto seconded the motion.

AMENDMENT: During discussion, Council Member Dale requested the Resolution also include the City's opposition of any further study of any military bases and facilities, including North Island, MCAS Miramar and East Miramar, as a location for a regional airport.

ACTION: Mayor Voepel and Vice Mayor Minto accepted the amendment. The motion carried with all voting aye.

5. CONTINUED BUSINESS:

(A) Town Center Community Park Development Update. (Vice Mayor Minto & Council Member Jones)

Vice Mayor Minto and Council Member Jones presented information to Council that they received after meeting as an Ad-hoc Committee with members of SPARC, the Sports Council and the general public.

ENTERED INTO THE RECORD:

Letters of support from Santee Sports Council President Ron Burner, and Chamber of Commerce Executive Director Warren Savage. A Petition of Support with 69 signatures was submitted by Jan Forzano.

PUBLIC SPEAKERS:

Speaking In Support were Jan Forzano, representing SPARC, and Warren Savage.

During lengthy discussion and debate, staff was asked by Council Members to bring back further information on many different aspects, some of which are:

- Presentation showing a complete timeline for the whole Town Center Community Park project.
- A timeline for the wagon wheel concept being built and operated with a summary of how far the city can go with the project with and without the private operator.
- What are the estimated costs for the project?
- If the wagon wheel is contracted out, who pays utilities and facility maintenance?
- What are the benefits to the City if the wagon wheel is contracted out?
- What is the economic benefit?
- What will the term of the contract be? What are the advantages and disadvantages for longer and shorter terms on the contract?
- Are all other parks in the City scheduled to be maintained and kept up to date while working on Town Center Community Park? If so, is there anything to show this?
- If the City chooses not to utilize a private contractor, does it make sense to still build the wagon wheel portion at the same level/standard? (i.e.: size of restaurant, stadium style seating, quality of turf, etc.)
- Presentation on the time-frame; where are we today, when does the project go out for bid, what are the estimated costs, etc.

Director of Development Services Williford stated the wagon wheel section should be built and ready for operation by mid 2008, whether a private operator is utilized or not.

Council Member Dale stated that if he were to move forward with staff recommendation tonight he would require the following items be part of the process:

- Ron Burner, Sports Council President, must be part of the negotiations.
- Operator contract must have an escape clause if the operator were found guilty of violating laws, specifically liquor laws.
- Operator must provide the City financial reports.
- Operator must provide the City a breakdown of the sales on beer and wine separated out from the rest of the concession sales.
- Specific times that little leagues and/or City will have guaranteed use of the facility.

- City needs to establish a minimum performance or standard that is expected from the Operator. A clause needs to be in the contract that would allow the City to break the contract if the Operator is unable to meet that standard.
- Time lines for the whole park; one with privatization and one without privatization.
- Guarantee that if the park is privatized, the privatized and public portions will all be done at or about the same time.
- More information regarding the new hotel aspect and its potential annual economic benefits.

MOTION: After further discussion, it was moved by Council Member Jones, and seconded by Vice Mayor Minto, to authorize the City Manager, or his designee, to take the next step in pursuing the public/private partnership by entering into negotiations with the highest rated contract operator. Negotiations will represent City Council's desires regarding the following:

- Guaranteed access for youth leagues and tournaments up to a specified percentage of total field capacity.
- No admission or minimum concession stand purchases required for youth ages 16 and under.
- A shorter term contract than originally proposed.
- And other requirements as discussed above by Council.

The motion carried with all voting aye.

6. NEW BUSINESS:

- (A) Santee Teen Center Lease Agreements – Resolution Approving a 6 Month Lease Agreement with Mission Creek Inc. for the Teen Center at 9470 Cuyamaca Street (existing site) and Resolution Approving a Three Year Lease Agreement with Two One-Year Extensions with the Padre Dam Municipal Water District to Relocate the Center to the Former Santee Lakes Recreation Preserve Office Building and the Appropriation of \$50,000 for Tenant Improvements. (Reso 78-2005 & 79-2005)**

ACTION: On motion of Council Member Ryan, seconded by Council Member Jones, the Resolutions approving a six-month lease agreement with Mission Creek Inc., and a three-year lease agreement with two one-year extensions with Padre Dam were adopted with all voting aye.

7. **COMMUNICATION FROM THE PUBLIC:** None

8. **CITY MANAGER REPORTS:** None

9. **COMMUNITY DEVELOPMENT COMMISSION:**
(Note: Minutes appear as Item 1B)

Note: Item 9A was reordered to Consent Calendar.

10. **SANTEE PUBLIC FINANCING AUTHORITY:**
(Note: Minutes appear as Item 1B)

11. **CITY ATTORNEY REPORTS:** None

ACTION: On motion of Council Member Ryan, seconded by Council Member Jones, Closed Session Item 12(B) was continued to next meeting with all voting aye.

Council Members recessed at 11:08 p.m. and convened in Closed Session at 11:15 p.m. with all Members present.

12. **CLOSED SESSION:**

(A) **CONFERENCE WITH LEGAL COUNSEL--ANTICIPATED LITIGATION**
Initiation of Litigation pursuant to Government Code section 54956.9:
One case.

(B) **PERSONNEL: (CONTINUED TO 12-14-05)**
Public Employee Performance Evaluations (Pursuant to Gov Code 54957)
Titles: (1) City Manager
(2) City Treasurer

Members reconvened in Open Session at 11:37 p.m. with all Members present. Mayor Voepel reported that direction had been given to staff regarding Item 12(A).

13. ADJOURNMENT:

There being no further business, the meeting was adjourned at 11:38 p.m. in Memory of Frances Marie Kelly and Lance Corporal Christopher M. Poston to December 14, 2005 at 7:00 p.m. with the December 21, 2005 Regular Meeting being cancelled.

Date Approved: December 14, 2005

/s/Linda A. Troyan
Linda A. Troyan, Commission Secretary
and for Authority Secretary Keith Till